

EXHIBIT 132

Excerpts from Deposition Transcript of Michael W. Davis

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW

STUDENTS FOR FAIR
ADMISSIONS, INC.,

Plaintiffs,

vs.

UNIVERSITY OF NORTH
CAROLINA, et al.,

Defendants.

AMENDED DEPOSITION
OF
MICHAEL DAVIS
THIS DEPOSITION CONTAINS HIGHLY CONFIDENTIAL AND
PROPRIETARY INFORMATION AND IS SUBJECT TO A PROTECTIVE
ORDER RESTRICTING PUBLIC DISCLOSURE OF ITS CONTENTS

TAKEN AT THE OFFICES OF:
UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL
222 East Cameron Avenue
110 Bynum Hall
Chapel Hill, NC 27514

06-15-17
8:56 A.M.

Michael B. Lawrence
Court Reporter

Civil Court Reporting, LLC
P.O. Box 1146
Clemmons, NC 27012
(336) 406-7684

1 assume that the graduation years are the same for
2 all of this first section. Similarly, I would
3 assume that 130 to 139 is a PSAT score range and
4 the 1300 to 1390 is the SAT score range. And then
5 the recurring and grades, same -- same idea.

6 Q. So this would be -- this would include
7 any student in North Carolina who tested between a
8 130 and 139 on the PSAT or a 1300 and 1390 on the
9 SAT?

10 A. Whose self-reported GPA was also between
11 a B minus and an A plus.

12 Q. Is -- so that's -- that's what that band
13 of information is?

14 A. That is how I would interpret that, yes.

15 Q. Does UNC today purchase that band of
16 information?

17 A. I -- we may have changed the -- the
18 specific range itself. I would have to look at
19 our current documents to see.

20 Q. So you can't tell me today whether or
21 not UNC purchases this band of data?

22 MS. COMBS: Object to form.

23 A. I could not specifically say exactly
24 what the range is, no.

25 Q. Let's go down to "Order 4 - Diversity

1 NC." What does that appear to be?

2 MS. COMBS: Object to form.

3 A. Diversity NC, again, the graduating
4 years appear to be the same as we've already
5 discussed. I would read this to be students who
6 tested between a 110 and a 129 on the PSAT or an
7 1100 to a 1290 on the SAT. I believe that the
8 diversity buy at that time included students who
9 are African-American, Native American,
10 Hispanic/Latino and/or first generation college
11 students. And then the recurring and the grade
12 range would be a similar -- similar idea to what
13 we've already discussed.

14 Q. (Mr. Weir) So it would be African-
15 American, American Indian and Hispanic students.
16 Is that right?

17 A. As well as and/or first-generation-
18 college students.

19 Q. Is that a band of data that UNC
20 purchases today?

21 A. We have expanded that data, so we
22 currently purchase any North Carolinian who's
23 taken -- well, not any -- we -- any student who is
24 in the 1100 to whatever the upper limit now is for
25 this particular band whose grades are within that

1 same range.

2 Q. So it's any -- any North Carolina
3 student who got an 1100 -- between 1100 and 1290
4 in that grade range?

5 A. Correct.

6 Q. Not specifically restricted to American
7 Indian, African-American, Hispanic and first-
8 generation-college?

9 A. Correct.

10 Q. When was that change made?

11 A. That change occurred in fall of 2015.

12 Q. Was that before or after you started?

13 A. It was after I started.

14 Q. And why was the change made?

15 A. In talking with Steve and some of the
16 other leadership in the office, I posed several
17 questions because I was new. I don't know that I
18 had actual opinions or real information to
19 contribute, but we did ask to talk about were some
20 of our strategies potentially limiting us from
21 marketing the University to students who may very
22 likely be admissible, particularly from more rural
23 areas where test scores can be significantly lower
24 than more suburban or urban areas.

25 Q. Does -- are you able to purchase SAT